

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

BOBBY D. WEECE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-08-415-SPS
)	
MICHAEL J. ASTRUE,)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

**OPINION AND ORDER AWARDING
ATTORNEYS' FEES TO THE PLAINTIFF UNDER THE EAJA**

The Plaintiff was the prevailing party in this appeal of the Commissioner of the Social Security Administration's decision denying benefits under the Social Security Act. The parties have stipulated that the Plaintiff should be awarded \$5,997.00 in attorneys' fees as the prevailing party under the Equal Access to Justice Act, 28 U.S.C. § 2412 (the "EAJA"). The Plaintiff also seeks reimbursement of \$16.47 in costs. The Court finds that said amounts are reasonable and that the Commissioner should therefore be directed to pay them to the Plaintiff herein. *See* 28 U.S.C. § 2412(d)(1)(A) ("Except as otherwise specifically provided by statute, a court shall award to a prevailing party . . . fees and other expenses . . . incurred by that party in any civil action [.]"). *See also Manning v. Astrue*, 510 F.3d 1246, 1249-50 (10th Cir. 2007), *cert. denied*, ___ U.S. ___, 129 S. Ct. 486, 172 L. Ed. 2d 355 (2008).

Accordingly, the Plaintiff's Application for Award of Attorney's Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. § 2412 [Docket No. 23] is hereby GRANTED, and the Commissioner is hereby ordered to pay to the Plaintiff \$5,997.00 in attorneys' fees and \$16.47 in costs.

IT IS SO ORDERED this 13th day of May 2010.



STEVEN P. SHREDER
UNITED STATES MAGISTRATE JUDGE